

## **PORT ST. JOE, FLORIDA**

**NOVEMBER 10, 2008**

### **REGULAR MEETING**

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Billy E. Traylor, Commissioners Nathan Peters, Jr., Carmen L. McLemore, Jerry W. Barnes, and Bill Williams.

Others present were: Clerk of Circuit Court Rebecca L. Norris, Deputy Clerk Kayla Duke, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Human Resource Director Denise Manuel, Grant Writer Towan Kopinsky, Planner David Richardson, Road Department Superintendent Bobby Knee, Assistant Road Department Superintendent Chris Wood, Solid Waste Director Joe Danford, Mosquito Control Director Mark Cothran, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, EMS/911 Coordinator Ben Guthrie, G.I.S. Director Scott Warner, Public Works Director Gerald Shearer, TDC Director Paula Pickett, Veteran's Service Officer James Kennedy, and Sheriff Joe Nugent. <County Attorney Tim McFarland arrived late.)

Sheriff Joe Nugent called the meeting to order at 9:02 a.m., E.T.

Commissioner Barnes opened the meeting with prayer and Commissioner Peters led the Pledge of Allegiance to the Flag.

### **CONSENT AGENDA**

Upon motion by Commissioner Peters, seconded by Commissioner McLemore, and unanimous vote, the following Consent Agenda was approved:

1. Minutes October 28, 2008 Special Meeting  
Minutes October 28, 2008 Regular Meeting  
Minutes October 31, 2008 Special Meeting
2. BCC Correspondence Grant Amendment #4  
(Overstreet Water System)  
  
Grant Closeout  
(Overstreet Water System)
3. Invoices County Attorney Timothy McFarland  
(October 2008 \* \$9,780.00 \* to be paid  
from Account#21314-31100)  
  
Florida Association of Counties  
AC Annual Membership Dues  
(\$1,904.00 \* to be paid from Account  
#21111-54200)  
  
Florida Department of Agriculture  
Fire Control Assessment

(Invoice#20018 \* \$21,094.36 \* to  
be paid from Account# 33022-3400)

Florida Department of Agriculture  
County Forrester Assessment  
(Invoice#20019 \* \$1,000.00 \* to  
be paid from Account#63337-34000)

MRD Associates Sea Turtle and  
Shorebird Monitoring Program (Invoice  
#1187 \* \$5,687.05 \* to be paid from  
Account#25837-34000)

MRD Associates St. Joseph Peninsula  
Construction Services (Invoice#1191 \*  
\$90,144.14 \* to be paid from Account  
#43137-34000)

Rumberger, Kirk & Caldwell General  
Employment Matters (File#G214-107990  
Invoice#729999 \* \$1,468.56 \* to be paid  
from Account#21111-31200)

4. Quotes Tyler Technologies MUNIS Software

5. Records Disposition O.R. Books Duplicate Copies  
(January 4, 1960 March 31, 2005)

6. S.H.I.P. Purchase Assistance (Donna Pippen \*  
\$25,000.00)

Rehabilitation Assistance (Beverley  
Quinn \* \$18,000.00 \* Kimberly  
Franklin \* \$18,000.00)

(End of Consent Agenda)

## **ELECTIONS**

Chairman Traylor congratulated Commissioner Williams and Commissioner McLemore for their success in the elections. Commissioner Williams recognized Sheriff Joe Nugent as well, for his victory. Chairman Traylor stated that Commissioner Barnes has served on the Board of County Commissioners for eight years and informed the public that this would be Commissioner Barnes' last meeting. Chairman Traylor commended Commissioner Barnes for his honest service to the County. The Board presented a plaque to Commissioner Barnes, commemorating his service, and Chief Administrator Butler presented a photograph on behalf of the County. Commissioner Barnes thanked the Board and staff.

### **CAPITAL IMPROVEMENTS SCHEDULE/ORDINANCE 2008-19**

Planner David Richardson presented the Capital Improvement Schedule to the Board, and read by title the following ordinance amending the Five Year Comprehensive Plan.

#### **ORDINANCE 2008-19**

### **AN ORDINANCE AMENDING THE GULF COUNTY FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE, PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Planner Richardson discussed different aspects of the new C.I.S. and informed the Board that once this ordinance is adopted, a project cannot be changed except by amendment. He further stated that this does not mean that the funding can't change. Planner Richardson recommended that the Board adopt the Capital Improvements Schedule, contingent on the final numbers being set. Chairman Traylor called for public comment. There being no public comment, Commissioner Barnes motioned to adopt the ordinance, contingent upon the final numbers being set. Commissioner McLemore seconded the motion and it passed unanimously.

### **RESOLUTION #2008-45/CDBG GRANT PROGRAM/MARINA LANDINGS**

Grant Writer Towan Kopinsky requested the Board's approval of a resolution authorizing submission of an application for the Small Cities CDBG Grant program for Fiscal Year 2008. Grant Writer Kopinsky informed the Board that this is for the Economic Development for Marina Landing. Commissioner Williams motioned to adopt the Resolution. Commissioner McLemore seconded the motion and it passed unanimously.

### **IMPACT FEES/PARKS PROJECT**

Chairman Traylor stated that there was an issue with the Parks Committee Ordinance, and there was no allowance for spending left over funds. Upon Grant Writer Kopinsky's recommendation, Commissioner Williams motioned to allow the Impact Fee Recipients to spend the entire amount they were allotted if there are funds remaining after the primary elements in the application are purchased, contingent upon the additional purchases being in compliance with the laws regarding expenditure of Impact Fees and that they do not exceed the amount they were awarded. Commissioner Peters seconded the motion and it passed unanimously.

### **HUMANE SOCIETY INVOICE**

Deputy Administrator Lynn Lanier presented an Invoice from the Humane Society, in the amount of 2,740.00, informing the Board that it was not turned in by the Consent Agenda deadline. Commissioner Williams motioned to approve payment of the invoice. Commissioner McLemore seconded the motion and it passed unanimously.

### **HOWARD'S CREEK FIRE DEPARTMENT/ADDITIONAL FUNDING REQUEST/BUDGET AMENDMENT**

Deputy Administrator Lynn Lanier presented a request from the Howard's Creek Volunteer Fire Department for additional funding, in the amount of \$2,993.02. Upon Commissioner Peter's recommendation, Commissioner McLemore motioned to approve the request and submit a budget amendment to be placed in the consent agenda for consideration. Commissioner Peters seconded the motion and it passed unanimously.

### **SMALL COUNTY COALITION/FIRST LEGISLATIVE MEETING**

Deputy Administrator Lynn Lanier requested the Board's approval for Commissioners to travel to the SCC's first Legislative Meeting. Commissioner Williams motioned to do so. Commissioner Peters seconded the motion and it passed unanimously.

### **FLORIDA ASSOCIATION OF COUNTIES/FIRST LEGISLATIVE MEETING**

Deputy Administrator Lynn Lanier requested the Board's approval for Commissioners to travel to the Florida Association of Counties' first Legislative Meeting. Commissioner Peters motioned to do so. Commissioner Williams seconded the motion and it passed unanimously.

### **VETERAN'S DAY**

Veteran's Service Officer James Kennedy informed the Board of several Veterans' Day events, and encouraged the Commissioners to attend. Chairman Traylor and the Board thanked VSO Kennedy for his dedication to his job.

### **UNITED WAY**

Human Resource Director Denise Manuel reminded the Board that United Way was hosting a picnic today for County staff.

### **SPECIAL NEEDS PROGRAM**

Emergency Management Director Marshall Nelson informed the Board that he has been working with Florida State University on a web based program that will help track and locate people with special needs, who may need help evacuating, in the event of an emergency.

### **DEP/NOTICE OF INTENT/STUMPHOLE REVETMENT PROJECT**

Chief Administrator Butler informed the Board that D.E.P. sent a notice of intent to give a permit for the Rock Revetment Project.

### **COURTHOUSE ELEVATOR REPAIRS/LEGAL ACTION**

Chief Administrator Butler discussed a letter from the Circuit Judge Elijah Smiley, concerning the Courthouse elevator, which has required frequent repairs. Administrator Butler discussed setting up a meeting with the Judge to discuss a solution to this problem. Chairman Traylor stated that Mowrey Elevator Company has been hired on several occasions to fix the Courthouse Elevator, but they are not doing a good job. Commissioner Peters stated that not having a working elevator in the Courthouse can put the County in legal jeopardy. Chairman Traylor passed the Chair to Commissioner Peters and motioned to take legal action against Mowrey Elevator Company and seek retribution for the money the County has paid toward repairing the elevator. Commissioner McLemore seconded the motion and it passed unanimously. Chairman Peters returned the Chair to Commissioner Traylor.

### **COUNTY JAIL/ INMATE**

Chief Administrator Butler advised the Board that County Attorney McFarland was currently

meeting with the judge concerning an inmate with a medical condition in which therapy is being provided. He further stated that the family had requested this hearing to attempt to get him moved to another location and County Attorney McFarland will report the Courts' decision upon its conclusion.

#### **TOURIST DEVELOPMENT COMMITTEE**

Commissioner Peters motioned to appoint Commissioner Williams to the TDC Board. Commissioner Barnes seconded the motion and it passed unanimously.

#### **COUNTY SPENDING**

Commissioner Peters discussed a letter from Tax Collector Shirley Jenkins concerning the need to keep County spending to a minimum until at least January. Commissioner Peters stated that there has been a \$250,000.00 average in Reserve for Contingencies for the past 15 years, and it has been about the same in Cash Carried forward. Commissioner Peters stated that this year there is \$446,000.00 in CCF and \$365,000.00 in Reserves, and the County spends on average \$1 million a month. Commissioner Peters stated that the Board should continue to increase CCF and Reserve for Contingencies during future budget sessions.

#### **ELECTION**

Commissioner Peters discussed his pleasure with the outcome of the Presidential Election of Barack Obama, and stated that he feels this is a historical moment and symbolism of the end of racism in America.

#### **PROPOSED RESOLUTION/PARTISAN GROUPS**

Commissioner Barnes motioned for the County Attorney to draft a Resolution disapproving of Federal Funds being provided to partisan groups, such as ACORN. Commissioner Williams seconded the motion and it passed unanimously.

#### **CITY OBLIGATIONS TO COUNTY**

Chairman Traylor stated that he spoke with Clerk Norris concerning obligations that the City has to the Board, and stated that the County needs to make sure that the City meets these obligations. Clerk Norris stated that the City did meet one, by paying their 2007-08 Mosquito Control Services Cost of \$6,000.00, but they still owe approximately \$96,000.00 for the Overstreet Project.

#### **INMATE/KEVIN BRADY**

County Attorney McFarland informed the Board that Judge Smiley ordered sick inmate, Kevin Brady conditionally released.

#### **COURTHOUSE ELEVATOR/EMERGENCY SITUATION**

Chairman Traylor informed County Attorney McFarland that the Board voted to take legal action against Mowrey Elevator Company, for their failure to fix the Courthouse Elevator. County Attorney McFarland stated that this is an emergency situation and the Board needs to have a solution for the problem. Chairman Traylor stated that Administrator Butler was going to speak with an elevator repair company. Commissioner Peters motioned to allow Chief Administrator Butler to make arrangements for Montgomery Elevator Company, out of Mobile, to begin the process of repairing the elevator, on an emergency basis. Commissioner Barnes seconded the motion and it passed unanimously.

**80 ACRES/WETAPPO CREEK**

Upon Commissioner McLemore's inquiry, County Attorney McFarland reported that there was a delay last week with the closing on the 80 acres at Wetappo Creek, due to some encumbrances on the property that the County received from the Tauntons. He further stated that the Taunton's banks are resolving this issue and have offered releases and the matter should be settled within the next three weeks.

**ELECTIONS**

Chairman Traylor congratulated Warren Yeager for his success in the elections.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 9:55 a.m., E.T.

**BILLY E. TRAYLOR  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**